

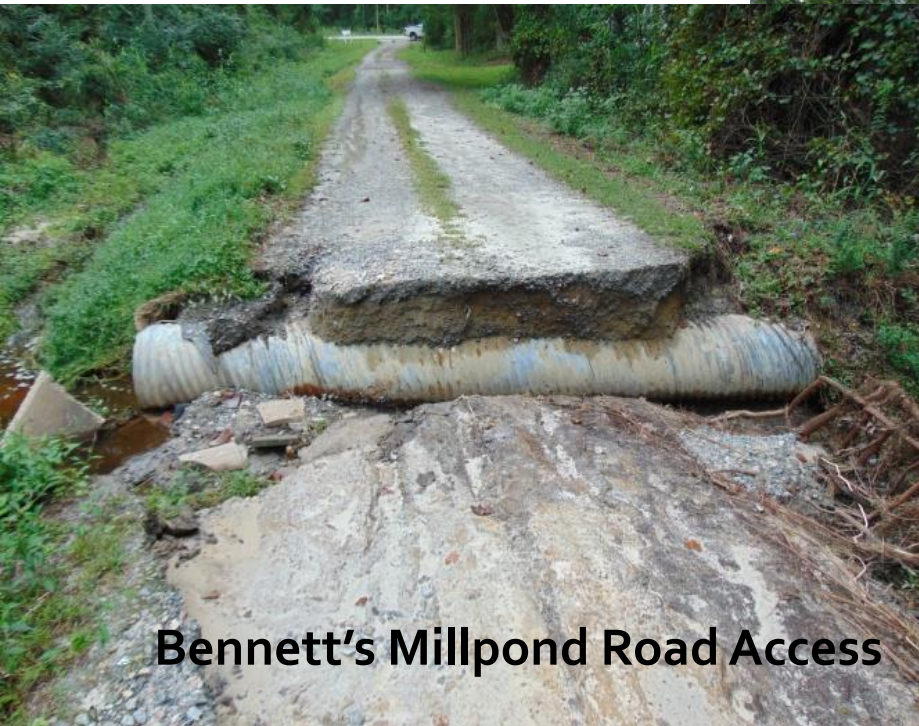
2016 DISASTER RECOVERY PROGRAM REPORT

NC Soil & Water Conservation Commission

January 8, 2017







Bennett's Millpond Road Access



Rocky Hock Creek Clear & Snag



CA Perry Dike Repair



**Edgecombe
County**



Village Creek Storm Water Pond Repair



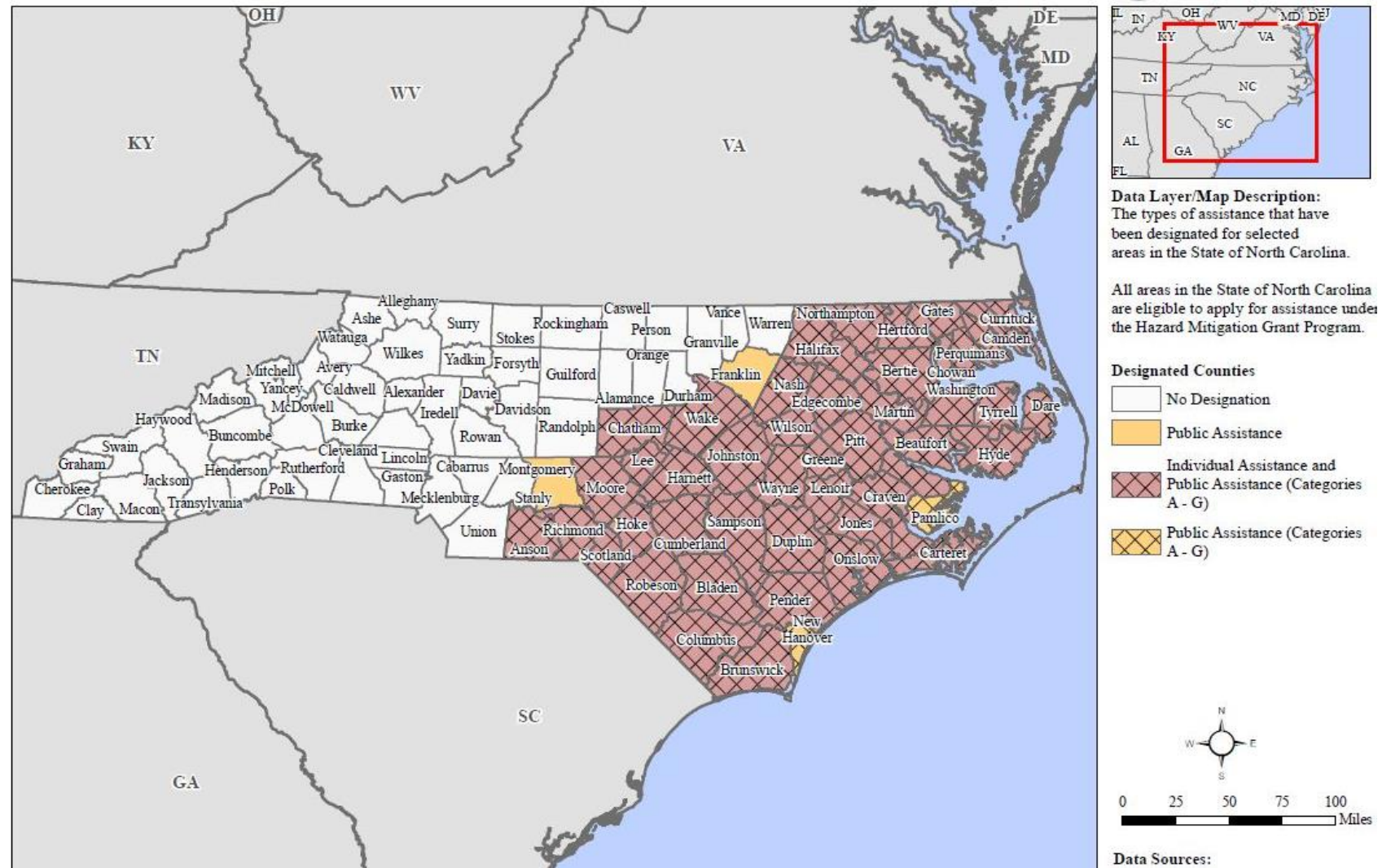
**Town of Southern Shores
Canal to Currituck Sound**

Disaster Recovery Act of 2016 (Session Law 2016-124)

- Hurricane Matthew, Tropical Storms Hermine And Julia, and western wildfires
- Not intended to make individuals whole but to assist affected areas in recovering from storm impacts
- Funds do not revert until NC General Assembly directs reversion of unexpended and unencumbered funds
- Ensure funds expended in a manner that does not adversely affect any person or entity's eligibility for (available or anticipated) federal funds
- Intent to fund gaps not covered by federal assistance funds

49 counties
declared a
major
disaster
under the
Stafford Act
(P.L. 93-288)

FEMA-4285-DR, North Carolina Disaster Declaration as of 11/22/2016



2016 FUNDING FOR IMMEDIATE NEEDS

\$12.2M to the Division of Soil and Water Conservation

- \$10M for stream debris removal
- \$1M for non-field farm road repairs
- \$1.2M for supplemental funding of the Agricultural Water Resources Assistance Program (AgWRAP) to support disaster-related farm pond and dam repairs

Stream Debris Removal

ELIGIBILITY & PRIORITIZATION

1. Stream debris removal (e.g. woody vegetation)
 2. Stand alone instream sediment removal (explain)
 3. Streambank stabilization (vegetative cover) with or without sediment removal
 4. Streambank stabilization (vegetative cover) with culvert replacement
- * Securing match & higher percent match will increase priority
 - * Match may include in kind services (e.g. technical assistance)
 - * Permitting needs impact priority
 - * Priority for downstream sediment removal if companion to other eligible practices (e.g. dam repair)
 - * Beaver dam removal *may* be considered part of stream debris removal if beaver dam compounded damage. Prioritization may also be given for leveraging efforts with other funds (e.g. BMAP) to eliminate beaver.

Stream Debris Removal

PROCESS & CONSIDERATIONS

- * All projects require a local sponsor that may or may not be a conservation district
- * Local sponsor required to:
 - Complete & submit application
 - Certify damage caused by eligible storm event(s) through self-certification form & may need supporting documentation
 - Oversee project
 - Provide site inspections
 - Provide report to include pre & post pictures
 - Secure contractor as needed
 - Secure permits
 - Secure access & right-a-ways
 - Manage removal material
 - Sign off for request for payment

Non Field Farm Roads

ELIGIBILITY & PRIORITIZATION

- * Road must be needed to access agricultural fields and/or production facilities (e.g. poultry houses)
- * May fund portions of access roads that are not eligible for FSA Emergency Conservation Program (ECP) funding
- * Road and associated components (e.g. culverts, water control) are eligible for funding
- * Must meet Ag Cost Share Program eligibility requirements
- * Must meet standard (NRCS Access Road Standard 560)
- * Priority given to those roads:
 - Farm roads not eligible for federal funding (e.g. horse)
 - That interconnect with field farm roads repaired with ECP funds
 - With access to larger acreage/SSLW
 - Prone to continued flooding and other safety issues

Non Field Farm Roads

PROCESS & CONSIDERATIONS

- * Local conservation district
- * District work with landowner to fill out ACSP application
- * Conservation district to contact & coordinate with local FSA for ECP eligible farm roads
- * Certify damage caused by eligible storm event(s) through self-certification form & may need supporting documentation
- * Priority for projects that district staff designs/oversees work versus outsourcing
- * Commission approved policy waiver allowing eligibility for non field roads eroding at $\leq 5T$ and/or not causing sediment delivery to stream
- * No policy change for operation and maintenance requirements
- * Commission approved relaxing district spot check requirements (now included in 5% random pull of contracts)

AgWRAP Supplement for Damaged Ponds & Dams

ELIGIBILITY & PRIORITIZATION

- Meet AgWRAP farm pond definition & eligibility criteria
- State funds to be used for practices & services (e.g. engineering) not funded by federal ECP funds
- Repair must meet NRCS standard
- Priority considerations include:
 - Non-ECP projects will be prioritized higher than ECP-eligible projects
 - In-pond sediment removal will be a lower priority
 - Higher priority to those projects that secure other non-federal match for ECP-eligible projects
 - Higher priority for high hazard structures due to higher potential for loss of life and property

AgWRAP Supplement for Damaged Ponds & Dams

PROCESS & CONSIDERATIONS

- * Local conservation district
- * District to work with landowner to fill out AgWRAP application
- * Conservation district to contact & coordinate with local FSA for ECP eligible farm ponds & dams
- * Certify damage caused by eligible storm event(s) through self-certification form & may need supporting documentation
- * Priority for project that district staff designs/oversees work versus outsourcing
- * Commission approved doubling existing caps for pond repair and engineering
- * Commission approved relaxing conservation plan requirement
- * No policy change for operation and maintenance requirements
- * Commission approved relaxing district spot check requirements (now included in 5% random pull of contracts)

General Program Considerations

- * Continue to develop program
- * DSWC will work with FSA and forward potential projects as identified
- * NC Soil & Water Conservation Commission approved program to proceed on Jan. 8 acknowledging program components under development
- * Outsourcing engineering and technical assistance (state versus local level)
- * Considering flat administrative fee per project for districts/sponsors/sub-contractor
- * May consider liquidated damages
- * May delegate authority to division to approve post approvals on a case by case basis

Audience Feedback

How do you feel about a mandatory recall of ACSP and AgWRAP funds?

Based on response, division would recommend a voluntary recall of ACSP and AgWRAP funds not committed to contract on Feb. 1

Would you be willing to help another district by providing technical assistance?

Overall response was district staff is willing to help other districts however the devil is in the details (e.g. worker's comp coverage, county policies)

Recommended Commission Actions for Implementation of the 2016 Disaster Recovery Program

